IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,	
v.	
RYAN SAMSEL,	**Criminal No. 21-cr-537-JMC**
Defendant.	

MOTION TO CONTINUE SENTENCING

Defendant Ryan Samsel, by and through undersigned counsel, and pursuant to Rule 45(b)(1) of the Federal Rules of Criminal Procedure, respectively requests this Court continue the date set for sentencing Mr. Samsel. Sentencing is now set for September 19, 2024, with the parties' sentencing memoranda due two weeks prior, on September 5, 2024, and any responses thereto one week later, on September 12, 2024.[1] *See* Minute Order (July 25, 2024). Mr. Samsel is scheduled to undergo surgery later this fall, with a pre-surgery consultation scheduled in September; accordingly, Mr. Samsel respectfully requests that his sentencing be continued until a reasonable time after his surgery takes place and has had enough time to recovery successfully.

On October 23, 2023, a bench trial was initiated against Mr. Samsel and his co-defendants, Messrs. James Grant, Paul Johnson, Stephen Randolph, and Jason Blythe. On February 5, 2024, the Court rendered its verdict and found Mr. Samsel guilty of following: obstructing an officer

[1] The Court also requested the United States Probation Officer for the United States District Court for the District of Columbia to provide a Presentence Investigation Report on August 15, 2024. Until recently, however, the Probation Officer had been unable to schedule a presentence investigation report interview with Mr. Samsel. Accordingly, the Probation Officer could not meet this deadline and has asked defense counsel to request a continuance of Mr. Samsel's sentencing. In the interim, Mr. Samsel has advised defense counsel that he will not voluntarily participate in a presentence investigation report interview and therefore defense counsel does not base its request for a continuance of sentencing on the Probation Officer's request, but nevertheless felt it prudent to bring this request to the Court's attention. See Ex. A, E-mail from Crystal S. Lustig, Supervisory US Probation Officer to Stanley E. Woodward, Jr., Counsel for Mr. Samsel (Aug. 16, 2024, 9:01 AM EDT).

during a civil disorder in violation of 18 U.S.C. § 231(a)(3) (Count One); assaulting, resisting, or impeding officer C.E. while using a deadly/dangerous weapon, inflicting bodily injury in violation of 18 U.S.C. §§ 111(a)(1), (b) (Count Two); entering and remaining in a restricted building or grounds with a deadly or dangerous weapon in violation of 18 U.S.C. §§ 1752(a)(1), (b)(1)(A) (Count Five); disorderly conduct in the Capitol Grounds or Buildings in violation of 40 U.S.C. § 5104(e)(2)(D) (Count Eight); act of physical violence in the Capitol Grounds or Buildings in violation of 40 U.S.C. § 5104(e)(2)(F) (Count Nine); obstruction of an official proceeding in violation of 18 U.S.C. § 1512(c)(2) (Count Ten);[2] obstructing officers during a civil disorder in violation of 18 U.S.C. § 231(a)(3) (Count Eleven); assaulting, resisting, or impeding certain officers in violation of 18 U.S.C. § 111(a)(1) (Count Twelve); and assaulting, resisting, or impeding certain officers using a deadly/dangerous weapon in violation of 18 U.S.C. §§ 111(a)(1), (b) (Count Thirteen). Findings of Fact at 1-3 (Feb. 9, 2024) (ECF No. 345).

The undersigned counsel for Mr. Samsel has corresponded extensively with the government and counsel for the Federal Bureau Prisons ("BOP") at Metropolitan Detention Center, Brooklyn ("MDC Brooklyn") about Mr. Samsel's ongoing medical conditions and obtaining his BOP medical records. On August 6, 2024, counsel for Mr. Samsel received a comprehensive record of his medical history from BOP counsel for MDC Brooklyn. As anticipated, the medical records state the imperativeness for Mr. Samsel to undergo the procedure in question as corroborated by the medical provider at MDC Brooklyn, who further cites to two other surgeons recommending the same. *See* Ex. B, BOP Medical Record of Ryan Samsel (filed

[2] Earlier today, August 23, 2024, the government moved to dismiss Count Ten. Mot. (Aug. 23, 2024) (ECF No. 392).

under seal). In transmitting Mr. Samsel's BOP medical records, BOP counsel for MDC Brooklyn further advised that Mr. Samsel's surgery consultation has been "confirmed for September." *See* Ex. C, E-mail from Rachel Kull, Staff Attorney, Federal Bureau of Prisons to Stanley E. Woodward, Jr., Counsel for Mr. Samsel (Aug. 6, 2024, 11:59 AM EDT) (filed under seal).

If Mr. Samsel is transferred from MDC Brooklyn to the District of Columbia, or anywhere else, for *any* reason, including sentencing, *all* his medical appointments will be cancelled and he will have to begin anew his quest for medical treatment. As this Court is well aware, Mr. Samsel has endured a storied history of medical treatment and has bounced between facilities contracted by the U.S. Marshal's Service since his arrest in April 2021. Now, with surgery he imminent he asks this Court to delay sentencing so as to facilitate the medical care he has long sought.

CONCLUSION

For the foregoing reasons, Mr. Samsel respectfully requests the Court vacate Mr. Samsel's sentencing date and set a status conference at which time issues regarding sentencing, including a new sentencing date, can be addressed.

Dated: August 22, 2024

Respectfully submitted,

s/ Stanley E. Woodward, Jr.
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CERTIFICATE OF SERVICE

I hereby certify that on August 22, 2024, I electronically filed the foregoing with the Clerk of Court using the CM/ECF System, with consequent service on all parties of record.

s/ Stanley E. Woodward, Jr.